

Message Text

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ACTION SS-25

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O P 192227Z FEB 75

FM AMEMBASSY QUITO

TO SECSTATE WASHDC NIACT IMMEDIATE 4521

INFO AMCONSUL GUAYAQUIL PRIORITY

C O N F I D E N T I A L QUITO 1223

EXDIS

E.O. 11652: GDS

TAGS: PFOR, PLOS, EFIS, EC, US

SUBJ: PROPOSED VISIT OF US TEAM TO DISCUSS FISHERIES ISSUE

REF: A. STATE 035796; B. STATE 036891; C. QUITO 1199

D. QUITO 1075

1. I MET WITH SUBSECRETARY VALDEZ 4:00 P.M., FEBRUARY 19 TO MAKE APPROACH INSTRUCTED REFTELS. HE FIRST ASKED ME ABOUT THE STATUS OF THE DETAINED BOATS, AND I REPLIED ALONG LINES GUAYAQUIL 281. I THEN OUTLINED OUR PROPOSAL.

2. VALDEZ REPLIED THAT IF THE TEAM WERE COMING TO DISCUSS ASSOCIATION AGREEMENTS OR MIXED ENTERPRISES IT WOULD BE MOST WELCOME. IF IT PROPOSED, HOWEVER, TO DISCUSS SOME KIND OF SOLUTION WHICH WAS "OUTSIDE OF OUR LAW", THEN THERE WOULD BE LITTLE POINT IN ITS COMING. HE REFERRED TO THE PAST VISITS OF ASSISTANT SECRETARY MEYER AND AMBASSADOR MCKERNAN, SAYING THAT THE GOE HAD BEEN GLAD TO PARTICIPATE IN THEM BUT THEY HAD NOT ACCOMPLISHED A GREAT DEAL. HE RECALLED FOR ME THE 1963 "MODUS VIVENDI" ARRANGEMENT WHICH HAD CAUSED THE DOWNFALL OF THE GOVERNMENT, THE DISGRACE OF ITS AUTHORS, AND THE HARDENING OF THE ECUADOREAN POSITION THROUGH INCORPORATING THE 200 MILE TERRITORIAL SEA IN ITS CIVIL CODE AND ITS CONSTITUTION. THIS WAS A MOST SENSITIVE POLITICAL ISSUE, VALDEZ STATED, AND THE GOE COULD NOT ENTERTAIN SOLUTIONS TO THE PROBLEM WHICH WERE
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OUTSIDE OF ITS LAW.

3. I REPLIED THAT I UNDERSTOOD THESE POINTS AND THAT I WAS AWARE OF THE HISTORY OF THE "MODUS VIVENDI", AS WAS MY GOVERNMENT. I ASKED VALDEZ WHETHER IT WAS NOT CORRECT THAT ECUADOREAN LAW ALSO PROVIDED FOR REGIONAL SOLUTIONS IN ADDITION TO THE ARRANGEMENTS HE HAD MENTIONED, AND HE CONFIRMED THAT IT DID. (SEE REF D).

4. VALDEZ THEN MENTIONED THAT RUSSIAN AMBASSADOR KOLOSOVSKY WAS HERE AND THAT THEY HAD BEEN HAVING TALKS ON LAW OF THE SEA MATTERS WITH HIM (SEE SEPTTEL. HE FELT SURE THAT THE GOE WOULD BE WILLING TO RECEIVE THE TEAM, AS I PROPOSED, TO CONDUCT SIMILAR DISCUSSIONS AND EXCHANGE VIEWS. THIS WOULD BE USEFUL IN ANY EVENT. VALDEZ SAID HE WOULD SPEAK TO THE FOREIGN MINISTER AND LET ME KNOW THE DECISION AS SOON AS HE COULD.

5. IN CONCLUDING OUR TALK, I MADE SPECIFICALLY CLEAR THE PROPOSED VISIT WOULD HAVE NOTHING TO DO WITH NEGOTIATING THE RELEASE OF THE DETAINED BOATS. VALDEZ SAID HE QUITE UNDERSTOOD.

6. COMMENT: DESPITE VALDEZ' INAUSPICIOUS INITIAL REACTION TO OUR PROPOSAL, HE CAME OUT FOR IT IN THE END. I BELIEVE THE REACTION OF FONMIN LUCIO PAREDES WILL ALSO BE FAVORABLE.
BREWSTER

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